

PROPOSED DEVELOPMENT CONDITIONS

SE 2014-MV-014

October 15, 2014

If it is the intent of the Board of Supervisors to approve SE 2014-MV-014, located at 8156 American Holly Road, Tax Map 107-1 ((5)) (C) 11, for a home child care facility of up to 12 children, pursuant to Sect. 6-105 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

General

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the home child care facility use indicated on the Special Exception Plat (SE Plat) approved with the application, as qualified by these development conditions.
3. Any plan or permit submitted pursuant to this Special Exception shall be in substantial conformance with the approved SE Plat, consisting of an annotated copy, dated September 10, 2014, of the House Location Survey entitled "Laurel Hill | Section 2 | Landbay C" prepared by Scartz Surveys and dated August 8, 2013, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of the approved Special Exception conditions shall be posted in a conspicuous place on the property and be made available to all Fairfax County departments during the hours of operation of the home child care facility.

Home Child Care

5. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed 12, and the maximum daily enrollment shall not exceed 12. Notwithstanding this maximum, the applicant shall not increase the number of children enrolled in the home child care facility beyond the maximum capacity permitted by license through the Virginia Department of Social Services.
6. Hours of operation for the home child care facility shall not exceed 7:00 AM to 6:00 PM.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility during the hours of operation.

8. Only the larger of the two downstairs play rooms associated with the home child care facility may be used as a sleeping area and shall have proper egress as defined by the Virginia Uniform Statewide Building Code.

Transportation

9. All pick-up and drop-off of children, and all parking associated with the home child care facility, shall occur either on-site in the driveway or along either of the property's two street frontages. The applicant may supplement the on-site parking with off-site, on-street parking spaces if available and if the use of the off-site spaces is permissible.
10. The garage shall not be converted to any use which would preclude the parking of vehicles, and shall be kept clear of debris at all times in order to accommodate parking for the dwelling and the home child care provider. At no time during the hours of operation of the home child care facility shall vehicles used by the residents be parked in the driveway.

Outdoor Play Area

11. All outdoor play equipment shall conform to all applicable state regulations and standards.

Food Preparation

12. Upon approval of the Special Exception, the applicant shall discontinue the use of the food preparation area in the basement until applicable permits are granted. Within 30 days of the Board of Supervisors' approval of the Special Exception, the applicant shall submit permit applications to the Department of Public Works and Environmental Services (DPWES) for all applicable permits needed to bring the food preparation area into compliance with local ordinances. These permits may include, but shall not be limited to, building, electrical, mechanical, and plumbing permits.
13. Within three months of the Board of Supervisors' approval of the Special Exception, the applicant shall have obtained final inspections and approvals for all applicable trade permits associated with the food preparation area.
14. Upon demonstration by the applicant that, despite diligent efforts or due to factors beyond the applicant's control, the applicant will be or has been delayed in the completion of one or more of the obligations or improvements required by these conditions beyond the timeframes set forth in these conditions, the Zoning Administrator may agree to a later date for the fulfillment/completion of such obligations or improvements, provided the applicant otherwise is in substantial conformance with these conditions.

15. As an alternative to complying with Conditions 12 and 13, the applicant shall remove the appliances associated with the food preparation area within six months of the Board of Supervisors' approval of the Special Exception, subject to the review and approval of an applicable permit by DPWES.
16. No increase in the maximum number of children on-site at any one time beyond 7 shall occur until the Department of Public Works and Environmental Services (DPWES) has completed inspections and issued approvals for all applicable permits associated with the food preparation area.
17. The basement and food preparation area may not be used as a separate dwelling unit.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, 30 months after the date of approval unless the use has been established as outlined above.